



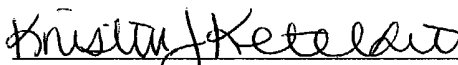
DOCKET NO.: C1040.70010US00

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: McCluskie et al.
Serial No.: 09/768,012
Confirmation No.: 9273
Filed: January 22, 2001
For: IMMUNOSTIMULATORY NUCLEIC ACIDS FOR INDUCING
A TH2 IMMUNE RESPONSE
Examiner: D. Nguyen
Art Unit: 1632

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

The undersigned hereby certifies that this document is being placed in the United States mail with first-class postage attached, addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the 26 day of April, 2004.


Kristin J. Ketelhut

Commissioner For Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Transmitted herewith are the following documents:

- ☒ Response to the Office Communication dated 03.24.04
- ☒ Updated Copy of IDS/Form 1449 sent 08.05.03
- ☒ Second Copy of Foreign Patent and Literature References sent 08.05.03
- ☒ Return Receipt Postcard

If the enclosed papers are considered incomplete, the Mail Room and/or the Application Branch is respectfully requested to contact the undersigned at (617) 646-8000, Boston, Massachusetts.

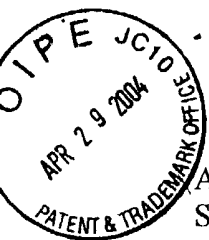
A check is not enclosed. If a fee is required, the Commissioner is hereby authorized to charge Deposit Account No. 23/2825. A duplicate of this sheet is enclosed.

Respectfully submitted,
McCluskie et al., Applicant



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Telephone: (617) 646-8000

Docket No. C1040.70010US00
Date: April 26, 2004
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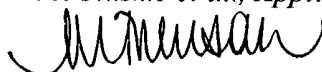
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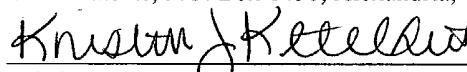
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Kristin J. Ketelhut

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Alexandria, VA 22313-1450

RESPONSE TO OFFICE COMMUNICATION

Sir:

This is in response to the Office Communication mailed from the USPTO on March 24, 2004. The Office Communication indicated that the USPTO has not received (or is unable to locate) the references accompanying the IDS/Form 1449 filed on August 5, 2003. Applicants have discussed the re-submission of references with Examiner Nguyen. Applicants have proposed, and the Examiner has agreed to, the re-submission of only the foreign patent documents and the literature references cited in the aforementioned IDS/Form 1449. Applicants herewith re-submit these references and do not re-submit the U.S. patent documents nor the cited related applications. Applicants further provide an updated copy of the IDS mailed August 5, 2003 containing complete serial number information, as requested by the Examiner. Applicants also provide a Form 1449 that corrects citation information for references C92 and C106.

Applicants believe this paper is fully responsive to the Office Communication.
If the Examiner has any questions or comments, he is encouraged to contact Applicants' attorney at the number listed below.

Respectfully submitted,



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